

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

Civil Cover Sheet

This automated JS-44 conforms generally to the manual JS-44 approved by the Judicial Conference of the United States in September 1974. The data is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. The information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is authorized for use only in the District of Arizona.

The completed cover sheet must be printed directly to PDF and filed as an attachment to the Complaint or Notice of Removal.

Plaintiff(s): Kimberly Cassell

Defendant(s): Lotus Garden Restaurant, Inc., dba Lotus Garden Chinese Restaurant

County of Residence: Navajo

County of Residence: Navajo

County Where Claim For Relief Arose: Navajo

Plaintiff's Atty(s):

Defendant's Atty(s):

**Mark J. Bourassa
The Bourassa Law Group, LLC
16165 N. 83rd Avenue, Suite 200
Peoria, Arizona 85339
480-867-7177**

**Jeffrey T. Pyburn
Gallagher & Kennedy, PA
2575 E. Camelback Road, Suite 1100
Phoenix, Arizona 85016
602-530-8000**

**Melinda D. Favors
The Bourassa Law Group, LLC
16165 N. 83rd Avenue, Suite 200
Peoria, Arizona 85339
480-867-7177**

REMOVAL FROM NAVAJO COUNTY, CASE #CV2019-00175

II. Basis of Jurisdiction:

3. Federal Question (U.S. not a party)

III. Citizenship of Principal Parties
(Diversity Cases Only)

Plaintiff:- N/A
Defendant:- N/A

IV. Origin :

2. Removed From State Court

V. Nature of Suit:

446 Amer. w/Disabilities - Other

VI. Cause of Action:

42 U.S.C. § 12181 et seq.; 28 U.S.C. § 1331; 28 U.S.C. § 1441; Plaintiff alleges that Defendant failed to adequately modify their establishment for use of visually impaired patrons in violation of Title III of the Americans with Disabilities Act of 1990. Defendant denies these allegations.

VII. Requested in Complaint

Class Action: **No**
Dollar Demand:
Jury Demand: **No**

VIII. This case is not related to another case.

Signature: Jeffrey T. Pyburn

Date: 7/11/2019

If any of this information is incorrect, please go back to the Civil Cover Sheet Input form using the *Back* button in your browser and change it. Once correct, save this form as a PDF and include it as an attachment to your case opening documents.

Revised: 01/2014